

REMARKS

The Examiner is thanked for the thorough consideration given the present application. The Office Action dated May 8, 2002 has been received and carefully reviewed.

By this amendment, Applicant amends the specification. Accordingly, claims 1-20 are pending in this application, claims 18-20 having been withdrawn from consideration. Reexamination and reconsideration of the application in view of the foregoing amendments and the following remarks are respectfully requested.

The Examiner objected to the drawings because reference character "B" has been used to designate both a sensor TFT area and phosphor area. The specification has been amended to correct informalities. No new matter has been added. Applicants respectfully submit that the all of the drawings comply with 37 CFR 1.84(p)(4).

The Examiner rejected claims 1-17 under 35 USC 103(a) as being unpatentable over Applicants' Figure 2 (AF2) in view of Rosenthal et al. (US Patent No. 5,028,787). Applicants respectfully traverse this rejection.

Independent claim 1, and dependent claims 2-17 are allowable at least for the reason that claim 1 recites a combination of elements, including a conductive object detection pattern; and a controller detecting a current flowing through the conductive object detection pattern, and in response thereto supplying a control signal to the power source to selectively supply power to the light source. None of the cited references, singly or in combination, teaches or suggests at least these features of the claimed invention.

On page 3 of the Office Action, the Examiner states that AF2 fail to disclose a conductive object detection pattern. The Examiner cites Rosenthal et al. in an attempt to cure the deficiencies of AF2. The Examiner also states that the switch in AF2 can be replaced with the two flanges in Rosenthal et al. However, the controllers in AF2 and Rosenthal et al. do not

supply a control signal to the power source to selectively supply power to the light source in response to the detection of current flowing through the conductive object detection pattern as recited in claim 1. Roesenthal et al. does not teach or suggest the claimed invention as a whole. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983); see also *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976).

Furthermore, the Examiner has not pointed out a particular finding as to the specific understanding or principle within the knowledge of a skilled artisan, either expressly or by implication that would have motivated one with no knowledge to combine or modify AF2. Accordingly, no proper motivation or suggestion is found in Rosenthal et al. for one of ordinary skill in the art to combine the teachings. Rather, Applicant respectfully submits that such combination is suggested only by the claimed invention and that combining is considered impermissible hindsight.

Rosenthal et al. is not attempting to solve similar problems with the same solution. "[A] patentable invention may lie in the discovery of the source of a problem even though the remedy may be obvious once the source of the problem is identified. This is part of the 'subject matter as a whole', which should always be considered in determining the obviousness of an invention under 35 U.S.C. § 103." *In re Spinnoble*, 405 F.2d 578, 585, 160 USPQ 237, 243 (CCPA 1969). However, "discovery of the cause of a problem . . . does not always result in a patentable invention. . . . [A] different situation exists where the solution is obvious from prior art which contains the same solution for a similar problem." *In re Wiseman*, 596 F.2d 1019, 1022, 201 USPQ 658, 661 (CCPA 1979) (emphasis in original).

Through the combination of references used by the Examiner, he has taken a specific aspect of the claim, i.e., a conductive object detection pattern, to be the only advantage of the

invention, and disregarded the other elements of the claim. Accordingly, Applicant respectfully requests withdrawal of the rejection based on the combination of references. Applicant respectfully submits that the Examiner has failed to establish a *prima facie* case of obviousness.

Moreover, claims 2-17 are believed to be allowable by virtue of their dependence on claim 1, which is believed to be allowable. Applicants respectfully request that the rejection under 35 USC 103(a) be withdrawn.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. Should the Examiner deem that a telephone conference would further the prosecution of this application, the Examiner is invited to call the undersigned attorney at (202) 496-7371.

If these papers are not considered timely filed by the Patent and Trademark Office,
then a petition is hereby made under 37 C.F.R. §1.136. Please credit any overpayment to deposit
Account No. 50-0911.

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Respectfully submitted,

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Version With Markings to Show Changes Made

Please amend the specification as follows:

On Page 5, Paragraph beginning on Line 6:

Figs. 5a to 5f are plan[e] views of various conductive object detection patterns provided to a TFT type optical sensor according to a preferred embodiment of the present invention.

On Page 5, Paragraph beginning on Line 13:

A substrate 10 is divided into a window A, a sensor TFT area B, a storage area C and a switching TFT area D. A conductive metal is deposited on the substrate 10, then patterned such that a sensor gate 12, a first storage electrode 14, and a switch gate 16 are respectively formed on the [phosphor area] sensor TFT area B, the storage area C, and the switching TFT area D. An amorphous silicon is deposited on the substrate 10, and then patterned such that a sensor semiconductor layer 20a and a switch semiconductor layer 20b are formed on the first insulating layer 18 corresponding to the sensor TFT area B and the switching TFT area D, respectively.